

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of

Docket No: Q77528

Wim HENDERICKX, et al.

Appln. No.: 10/690,544

Group Art Unit: 2619

Confirmation No.: 6418

Examiner: Ketan S. SONI

Filed: October 23, 2003

For: TELECOMMUNICATION ROUTER

RESPONSE TO NOTICE TO NON-COMPLIANT APPEAL BRIEF

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Appeal Brief, and supplementary to the Appeal Brief filed on June 13, 2008, in accordance with the provisions of 37 C.F.R. § 41.37, Appellant submits the following:

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STATUS OF CLAIMS

Claims 1-3 and 5-9 are currently pending and were previously presented. Claim 4 is canceled. Claims 1-3 and 5-9 are the subject of this appeal. All claims pending in the present application are set forth in their entirety in the attached Claims Appendix.

Claims 1-3 and 5-9 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 7,225,271 to DiBiasio et al.

Remarks

Supplemental to the Appeal Brief filed on June 13, 2008, Appellant has identified the claims on Appeal in the Status of Claims section.

Appellant respectfully requests that the members of the Board consider the remarks presented in the Appeal Brief submitted on June 13, 2008, and find each of the Appealed claims allowable as defining subject matter that is patentable over the cited art of record.

This is being filed via the USPTO Electronic Filing System (EFS). Appellant herewith petitions the Director of the USPTO to extend the time for filing for an appropriate length of time if necessary.

Appellant does not believe any fee is due under 37 C.F.R. §41.37(a) and 37 U.S.C. § 1.17(c), however the USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

/Kelly G. Hyndman 39,234/

Kelly G. Hyndman
Registration No. 39,234

Date: July 2, 2008